

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
TUESDAY, SEPTEMBER 10, 2002 AT 10:00 A.M.
TABLE OF CONTENTS**

CLOSED SESSION	<u>2</u>
OTHER LEGISLATIVE MEETINGS	<u>2</u>
NON-AGENDA PUBLIC COMMENT	<u>2</u>
COUNCIL, CITY ATTORNEY, CITY MANAGER COMMENT	<u>2</u>
REQUEST FOR CONTINUANCE	<u>2</u>
ADOPTION AGENDA, HEARINGS	
NOTICED HEARINGS:	
ITEM-330: Francis Parker Lower School Expansion.	<u>3</u>
ITEM-331: Savannah Terrace.	<u>6</u>
ITEM-332: Meadows Del Mar.	<u>8</u>
ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS	
RESOLUTIONS:	
ITEM-333: Reapportionment of Categories and Seats for the Centre City Advisory Committee (CCAC).	<u>10</u>
ADOPTION AGENDA, HEARINGS	
SPECIAL HEARINGS:	
ITEM-334: Joint Public Hearing - First Amendment to Disposition and Development Agreement - Broadway Tower 655, LLC.	<u>10</u>

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
TUESDAY, SEPTEMBER 10, 2002 AT 10:00 A.M.
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS - 12TH FLOOR
202 "C" STREET
SAN DIEGO, CA 92101**

NOTE: The public portion of the meeting will begin at 10:00 a.m. The City Council will meet in Closed Session this morning from 9:00 a.m. - 10:00 a.m. Copies of the Closed Session agenda are available in the Office of the City Clerk.

OTHER LEGISLATIVE MEETINGS

The **SAN DIEGO REDEVELOPMENT AGENCY** is scheduled to meet today in the Council Chambers. A separate agenda is published for it, and is available in the Office of the City Clerk. For more information, please contact the Redevelopment Agency Secretary at 533-5432.

ITEM-300: ROLL CALL.

NON-AGENDA PUBLIC COMMENT

This portion of the agenda provides an opportunity for members of the public to address the Council on items of interest within the jurisdiction of the Council. (Comments relating to items on today's docket are to be taken at the time the item is heard.)

Time allotted to each speaker is determined by the Chair, however, comments are limited to no more than three (3) minutes **total per subject** regardless of the number of those wishing to speak. Submit requests to speak to the City Clerk **prior** to the start of the meeting. Pursuant to the Brown Act, no discussion or action, other than a referral, shall be taken by Council on any issue brought forth under "Non-Agenda Public Comment."

COUNCIL, CITY ATTORNEY, CITY MANAGER COMMENT

REQUEST FOR CONTINUANCE

The Council will now consider requests to continue specific items.

ADOPTION AGENDA, HEARINGS

NOTICED HEARINGS:

ITEM-330: Francis Parker Lower School Expansion.

Matter of approving, conditionally approving, modifying or denying to the City Council of a request for a Conditional Use Permit, Planned Development Permit, Site Development Permit and Street and Easement Vacations on a Parcel Map for the remodeling and expansion of a 36,172 square foot elementary school on a 4.86 acre site, located at 4201 Randolph Street in the RS-1-7 and RS-1-1 zones within the Uptown Community Plan area. The project would include the vacation of Plumosa Way east of Randolph Street, vacation of three sewer easements, and demolition of the existing north wing of the school, classrooms, and an existing one-story residence with accessory structures. Proposed project construction activities would consist of 10,225 square feet of demolition, 22,910 square feet of new building space, 10,908 square feet of interior tenant improvements, and a new 33-space parking lot. The completed elementary school project would be 49,112 square feet of floor area. The proposed project includes deviations to the height and off-street parking requirements. The project would also include a Multiple Habitat Planning Area (MHPA) boundary correction.

(See City Manager's Report CMR No. 02-191. CUP/PDP/SDP/Street and Easement Vacations/PM-1039 (Former No. 40-1050.) Uptown Community Plan area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions in subitems A and B; and adopt the resolution in subitem C to grant the permits.

Subitem-A: (R-2003-290)

Adoption of a Resolution certifying that Environmental Impact Report No. 40-1050, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations section 15000 et seq.), that the report reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of the Francis Parker Lower School Expansion project;

That the City Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study

and therefore, that said Environmental Impact Report No. 40-1050, is hereby approved;

That pursuant to California Public Resources Code section 21081.6, the City Council adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment;

That the City Clerk is directed to file a Notice of Determination [NOD] with the Clerk of the Board of Supervisors for the County of San Diego regarding the above project.

Subitem-B: (R-2003-291)

Adoption of a Resolution approving and accepting PARCEL MAP W.O. NO. 401050 [MAP], being a lot consolidation of a portion of block 19, lying west of the bottom of the canyon, running northerly and southerly through said block 19, all of Lots 1 thru 24 inclusive in block 20, Lots 1 thru 12 and 18 thru 24 inclusive in block 21, and Lots 1 thru 4 inclusive in block 22, all of Arnold & Choate's Addition, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 334, filed in the Office of the County Recorder of San Diego County, together with Lots 1 thru 12 inclusive in block 20, Lots 1 thru 12 inclusive in block 21, both of North Florence Heights, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 634, filed in the Office of the County Recorder of San Diego, together with those portions of Hunter Street as closed to public use on September 30, 1914, by Resolution No. 18277, Lark Street as closed to public use on September 20, 1938, by Resolution No. 68235, Arbor Street as closed to public use on July 22, 1914, by Resolution No. 17813 and on February 20, 1992, by Resolution No. 27347, Randolph Street as closed to public use on March 11, 1925, by Resolution No. 33526, together with those portions of Plumosa Way, Randolph Street, and Montecito Way as dedicated to public use, is made in the manner and form prescribed by law and conforms to the surrounding surveys;

That an easement for sewer purposes granted to the City of San Diego, recorded June 5, 1929, in Book 1652, Page 33 of Deeds, an easement for sewer purposes granted to the City of San Diego in deed recorded September 30, 1938, in Book 832, Page 199 of Deeds, an easement for sewer purposes granted to the City of San Diego in deed recorded September 30, 1938, in Block 833, Page 186 of Deeds, together with that portion of Plumosa Way as granted to the City of San Diego by deed recorded November 30, 1914, in Book 676, Page 16 of Deeds are not shown within the boundary of this Parcel Map because they are being vacated pursuant to section 66445(j) of the State Subdivision Map Act;

That the Clerk of said City is hereby authorized and directed to endorse upon the MAP, as and for the act of the Council, that the Council has approved the MAP on behalf of the public as heretofore stated;

That the Clerk of said City is hereby directed to transmit the MAP to the County Recorder of the County of San Diego, California.

Subitem-C: (R-2003-)

Adoption of a Resolution granting or denying the Conditional Use Permit No. 2063, Planned Development Permit No. 6051 and Site Development Permit No. 6055, with the implementation of Alternative 9.3.5, Off-Site Parking Acquisition/Lease in EIR No. 40-1050, with appropriate findings to support Council action.

OTHER RECOMMENDATIONS:

On June 20, 2002 the Planning Commission voted 4-2 to approve; was opposition.

First Motion:

Ayes: Brown, Steele, Schultz, Anderson

Nays: Lettieri, Chase

Not present: Garcia

On June 20, 2002 the Planning Commission voted 5-1 to approve; was opposition.

Second Motion:

Ayes: Brown, Chase, Lettieri, Schultz, Steele

Nays: Anderson

Not Present: Garcia

The Uptown Planners Community Planning Group has recommended denial of this project.

CITY MANAGER SUPPORTING INFORMATION:

The proposed Francis Parker Lower School Expansion project is comprised of three major elements: remodeling and expansion of the existing 36,172-square-foot school; a street vacation of Plumosa Way and sewer easement vacations on a Parcel Map; and a Multi-Habitat Planning Area (MHPA) boundary correction. The projected building characteristics are divided into phases including; the construction of portable classrooms, the demolition of existing structures and the vacation of Plumosa Way and sewer easements, the construction of buildings A and B, the removal of temporary facilities and the conversion of a tennis court into a 33-space parking lot, and the construction of a cafeteria. The completed project would have 22,910 square feet of new building space, 10,908 square feet of interior tenant improvements, and a new 33-space on-site parking lot. The completed project would be 49,112 square feet of floor area.

FISCAL IMPACT: None.

Ewell/Christiansen/JCT

LEGAL DESCRIPTION:

The project site is more particularly described as a portion of block 19, 20, 21, and 22 of Arnold and Choate's Addition, Map No. 334.

ADOPTION AGENDA, HEARINGS

NOTICED HEARINGS:

ITEM-331: Savannah Terrace.

Matter of approving, conditionally approving, modifying or denying to the City Council a Rezone from CC to RM-2-5 (1 dwelling unit per 1,500 square feet of lot area) Tentative Map/Planned Development Permit/Site Development Permit/Street Vacation/Multiple Habitat Plan Area Boundary Adjustment to develop five lots with 289 multi-family units on a 28.96-acres site. The project is located at the northeast corner of Sabre Springs Parkway and Poway Road.

(See City Manager's Report CMR-02-197. RZ/PDP/SDP/SV/TM/MHPA Boundary Adjustment 40-0644. Sabre Springs Community Plan area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Introduce the ordinance in subitem A; adopt the resolution in subitem B to deny the permits and MHPA Boundary Adjustment; adopt the resolution in subitem C to deny the tentative map/street vacation; and adopt the resolution in subitem D:

Subitem-A: (O-2003-60)

Introduction of an Ordinance changing portions of a property, located at the northeast corner of Sabre Springs Parkway and Poway Road, in the Sabre Springs Community Plan Area, in the City of San Diego, California, from CC-1-3 (Community Commercial) Zone into the RM-2-5 (Medium Density Residential) Zone, as defined by San Diego Municipal Code section 101.0111; and repealing Ordinance O-17061 (New Series), adopted April 18, 1988, of the ordinances of the City of San Diego insofar as the same conflicts herewith.

Subitem-B: (R-2003-)

Adoption of a Resolution granting or denying Planned Development/Site Development Permit No. 40-0644 and MHPA Boundary Adjustment, with appropriate findings to support Council action.

Subitem-C: (R-2003-)

Adoption of a Resolution granting or denying Vesting Tentative Map/Street Vacation 40-0644, with appropriate findings to support Council action.

Subitem-D: (R-2003-317)

Adoption of a Resolution certifying that the information contained in Mitigated Negative Declaration No. 40-0644, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Code of regulations section 15000 et seq.), and that the declaration reflects the independent judgement of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of the Savannah Terraces project;

That the City Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that Mitigated Negative Declaration, is approved;

That pursuant to California Public Resources Code section 21081.6, the City Council adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment;

That the City Clerk is directed to file a Notice of Determination [NOD] with the Clerk of the Board of Supervisors for the County of San Diego regarding the above project.

OTHER RECOMMENDATIONS:

On June 13, 2002, the Planning Commission voted 5-0 to approve staff's recommendations and deny the proposal; no opposition.

Ayes: Lettieri, Brown, Garcia, Steele and Shultz
Recusing: Chase

On August 3, 2001, the Sabre Springs Planning Group voted 7:0:1 in support of the project.

CITY MANAGER SUPPORTING INFORMATION:

The 28.69-acre project site is located on the northeast corner of Sabre Springs Parkway and Poway Road, within the Sabre Springs Community Plan area. The project site is designated Community Commercial, Multi-Family and Institutional. Surrounding uses include Specialty Commercial (SC) to the west; Low-Medium Density Residential (LM-10-15 du/acre) to the south; Institutional/Utilities (IN) to the east; Medium Density Residential (M-15-30 du/acre) to the northeast; Open Space (OS) and Neighborhood Park (NP) to the north of the project site.

FISCAL IMPACT: None.

Ewell/Christiansen/PXG

LEGAL DESCRIPTION:

The project site is located at the northeast corner of Sabre Springs Parkway and Poway Road, within the Sabre Springs Community Planning area and is more particularly described as Parcel 1 and 2, per Parcel Map No. 17661; Lots 4 and 5 of North Creek Areas 14, 15, 16, 17, and 18, Unit No. 1, per Map No. 12937.

ADOPTION AGENDA, HEARINGS

NOTICED HEARINGS:

ITEM-332: Meadows Del Mar.

Matter of approving, conditionally approving, modifying or denying a Tentative Map, Amendment to Conditional Use Permit CUP No. 89-1296, Vacation of General Utilities Easement, for a previously approved project consisting of a 110,130 square foot resort hotel facility with 46 keys, plus separate buildings surrounding the hotel encompassing 84 hotel casitas suites and 84 interval club units. The project area is 24.01 acres located at 5300 Meadows Del Mar Road within the Del Mar Mesa Specific Plan.

(TM-7383/Easement Abandonment-5757/Amendment to CUP No. 89-1296. Del Mar Mesa Community Plan Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the resolution in Subitem A; adopt the resolution in Subitem B to grant the map and easement abandonment; and adopt the resolution in Subitem C to grant the permit:

Subitem-A: (R-2003-278)

Adoption of a Resolution declaring that the information contained in the final document, Environmental Impact Report No. 89-1296, adopted on December 10, 1996, by Resolution No. R-288197, including any comments received during the public review process, has been reviewed and considered by this Council and it is determined that no substantial changes or new information of substantial importance within the meaning of CEQA Guideline section 15162 would warrant any additional environmental review in connection with approval of the Meadows Del Mar Project;

Directing the City Clerk to file a Notice of Determination [NOD] with the Clerk of the Board of Supervisors for the County of San Diego regarding the above project.

Subitem-B: (R-2003-)

Adoption of a Resolution granting or denying Tentative Map No. 7383 and Easement Abandonment No. 5757, with appropriate findings to support Council action.

Subitem-C: (R-2003-)

Adoption of a Resolution granting or denying Amendment to Conditional Use Permit No. 89-1296 (CUP No. 5758), with appropriate findings to support Council action.

OTHER RECOMMENDATIONS:

On August 1, 2002 the Planning Commission voted 7-0 to approve staff's recommendations as outlined in Report to the Planning Commission No. P-02-126; no opposition.

Ayes: Anderson, Lettieri, Brown, Chase, Garcia, Schultz, and Steele

The Del Mar Mesa Community Planning Group has recommended approval of this project.

SUPPORTING INFORMATION:

Meadows Del Mar Hotel/Resort located at 5298 Meadows Del Mar Road in the AR-1-1 zone of the Del Mar Mesa Precise Plan, legally described as Portion of Lots 145, 147 and 152 of the Bougainvillea, Map No. 13684, File No. 1998-753785. The proposed project is 24.01-acres of the previously approved 377.8 acre Bougainvillea site. Council approval of the Tentative Map, General Utilities Easement Abandonment, and Amendment to Conditional Use Permit No. 89-1296 for the Meadows Del Mar Hotel allows a change in use from hotel to commercial condominiums. The tentative map and amendment to the conditional use permit will allow the creation of commercial condominium units in order to allow resort suites to be sold under interval ownerships, fractional ownerships, or club-type ownerships. All three classifications could potentially be "commercial condominiums" units. The tentative map will also permit the abandonment of several City General Utilities Easement and regranting of these easements in other locations on the site to accommodate building and driveway placement.

No physical changes to the site plan, grading or architecture are proposed from the previously approved Bougainvillea project.

PROJECT TRAFFIC INFORMATION:

The proposed Meadows Del Mar project is estimated to generate approximately 1,712 average daily trips (ADT). 450 of these trips are estimated to occur on Interstate 5 south of State Route 56, which has an estimated near-term plus project volume of 266,450 ADT. Caltrans is planning to widen Interstate 5 to provide ten additional lanes south of State Route 56 to be completed by 2005-2007. Del Mar Mesa/Subarea V is required to contribute \$1.3 million for the widening of State Route 56 from 4 to 6 lanes. The construction and occupancy of the units will be in phases 2005-2009. This is consistent with the previous approved permit.

FISCAL IMPACT:

A deposit has been collected from the applicant to cover all costs associated with processing this

proposed project.

Ewell/Christiansen/FM

LEGAL DESCRIPTION:

The project is located in the western portion of the Subarea V of the North City Future Urbanizing Area with a portion of the site in the eastern part of the Neighborhood 10 Precise Plan area. The site is south of Carmel Valley and two miles east of I-5. Access to the site is from Carmel Country Road. The site lies on the USGS Del Mar Quadrangle on the south ½ of Section 21, T14S, R3W, SBM, along with the SE 1/4 of the NW 1/4 of Section 21, and a portion of the south ½ of the SE 1/4 of Section 20, T14S, R3W, SBM.

**ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS
RESOLUTIONS:**

ITEM-333: Reapportionment of Categories and Seats for the Centre City Advisory Committee (CCAC).

(Centre City Community Area. District-2.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-2003-320)

Approving the reapportionment of categories and seats for the Centre City Advisory Committee.

**ADOPTION AGENDA, HEARINGS
SPECIAL HEARINGS:**

ITEM-334: Joint Public Hearing - First Amendment to Disposition and Development Agreement - Broadway Tower 655, LLC.

(See Centre City Development Report CCDCC-02-01 and memorandum from Keyser Marston Associates, Inc. dated 8/01/2002. Centre City Community Area. District-2.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-2003-289)

Approving the sale of property located generally at Kettner Boulevard and Broadway in the Centre City Redevelopment Project Area to Broadway Tower 655, LLC;

Approving the First Amendment to Disposition and Development Agreement and the Payment Agreement; and making certain findings with respect to such sale.

NOTE: See the Redevelopment Agency Agenda of 9/10/2002 for a companion item.

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT